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## Nevada gets tough even by UFC standards

The Ultimate Fighting Championship 229 in Las Vegas earlier this month was worth every penny for pay-per-view spectators. A brawl that ensued immediately after the main event may unfortunately cost lightweight title fight champion, Khabib Nurmagomedov, a pretty penny under Nevada state law.

In the Mixed Martial Arts lightweight title fight, Nurmagomedov, of Dagestan, Russia, vs. Conor McGregor, of Dublin, Ireland, finished in the fourth round when Nurmagomedov put Conor in an unescapable choke hold, forcing him to tap out.

The excitement over McGregor's submission to Nurmagomedov was quickly overshadowed when Nurmagomedov chucked his mouthpiece, climbed the cage and soared into the crowd directly toward McGregor's teammate, Dillon Danis, an American Mixed Martial Arts fighter and Brazilian jiu-jitsu black belt.

The chaos that ensued from there was labeled by Mike Tyson as "crazier than my fight riot" — referring to when Tyson bit off part Evander Holyfield's ear in 1997.

Amid the commotion, the traditional post-fight awarding of the title belt was canceled and security escorted both fighters away from the arena.

In the aftermath of UFC 229, the Nevada State Athletic Commission declared that they would conduct an investigation and that they planned to file complaints against both Nurmagomedov and McGregor for the incident.

The commission regulates all contests or exhibitions of unarmed combat, including the licensure and supervision of promoters and mixed martial artists, within Nevada.

Reportedly, both Nurmagomedov and McGregor have been temporarily suspended in Nevada, pending the investigation. In a more controversial move, the commission is withholding Nurmagomedov's \$2 million purse, which is the sum guaranteed to him for fighting at UFC 229.

McGregor's guaranteed \$3 million purse, on the other hand, was paid.

How is the commission able to essentially garnish Nurmagomedov's paycheck?

The commission has the legal authority to order the Ultimate Fighting Championship 229 to withhold Nurmagomedov's purse under Nevada state law, including Nevada revised statutes Chapter 467 and Nevada Administrative Code Chapter 467. The commission administers and enforces Nevada state laws and regulations governing unarmed combat and also rules in disciplinary cases.

State statute 467.135 provides that the commission may order the promoter (in this case the Ultimate Fighting Championship 229) to withhold any part of a purse of any contestant (in this case Nurmagomedov) if, in the judgment of the commission, the contestant violates any regulations or provisions of Chapter 467 or Nevada Administrative Code Chapter 467.

Upon the withholding of any part of a purse, the commission must immediately schedule a hearing on the matter, give notice to the parties and dispose of the matter as promptly as possible.

According to administrative code 467.147, Nurmagomedov will not be entitled to receive his money until the commission determines that no penalty will be issued pursuant to statute 467.158 because under statute 467.158, the commission has the broad authority to prescribe a penalty of up to 100 percent of a fighter's purse as the result of a disciplinary action.

In addition to discretionary financial consequences, the commission has the authority to suspend or revoke a contestant's Nevada license or otherwise discipline them.

Nurmagomedov has a high risk of the aforementioned penalties based upon the broad language of Nevada's applicable laws and regulations surrounding disciplinary actions. For example, pursuant to statute 467.110, a fighter can be found guilty of an act or conduct that is detrimental to a contest or exhibition of unarmed combat,

### TIME-OUT

AMY N. SCHILLER



*Amy N. Schiller is an attorney at Schiller, DuCanto & Fleck LLP where she practices family law with a strong focus on property issues and the complex financial and custody matters facing professional athletes and entertainers. She can be reached at [aschiller@sdflaw.com](mailto:aschiller@sdflaw.com).*

including, but not limited to, any foul or unsportsmanlike conduct in connection with a contest.

As another example, pursuant to administrative code 467.886, a person licensed by the commission can be penalized for engaging in any activity that will bring disrepute to unarmed combat. Similarly, under administrative code 467.885, a fighter can be disciplined for merely engaging in conduct at any time or place which is deemed by the commission to reflect discredit to unarmed combat or if that person engaged or has engaged in any activity or practice that is detrimental to the best interests of Nevada, the commission or unarmed combat.

The commission is clearly using its wide discretion against Nurmagomedov for the incident at UFC 229. Ironically, the commission failed to use its wide discretion against McGregor both before and after the fight.

It is questionable whether the commission should have even granted McGregor the license to fight at UFC 229 in the first place based upon McGregor's historically bad behavior. In granting the required license, the commission is surely permitted to consider "conduct at any time or place which is deemed by the commission to reflect discredit to unarmed combat." (See administrative code 467.885).

Those just tuning into the fight

as a result of the hype were likely unaware that the fight was part of a serious, ongoing feud between Nurmagomedov and McGregor and their entourages. According to Nurmagomedov, his actions after the victory were fueled by a history of harassment from McGregor and Danis.

Nurmagomedov explained that he regards his sport as "respectful" and "not a trash-talking sport," but that McGregor has repeatedly insulted his country, his religion and his family, including his father. Reportedly, during the fight, Danis was hurling insults and Muslim slurs directed at Nurmagomedov, which is obviously denied by Danis.

Most notably, in April 2018, on media day before UFC 223, McGregor traveled to the Barclays Center in New York and attacked a bus full of UFC fighters, including Nurmagomedov. McGregor's actions included throwing a metal handcart through the window of the bus, shattering glass and injuring people, including a fighter whose injuries prevented him from fighting at UFC 223.

McGregor was arrested and charged criminally for the attack and pleaded guilty to misdemeanor disorderly conduct.

The UFC did not reprimand McGregor, and because McGregor was not licensed in New York, the New York State Athletic Commission did not penalize him either. In 2015, McGregor jumped out of the cage at UFC Fight Night 59 in Boston and charged into the crowd at another fighter, Jose Aldo.

In a clear trend, both the UFC and the commission ignored McGregor's past conduct and permitted him to fight at UFC 229. It doesn't seem fair that the UFC is now chastising Nurmagomedov and the commission is now throwing the book at Khabib for his hardly unique cage jumping conduct.

Although we can't knock out the idea that this is merely the result of general discretion, people are certainly speculating that it is indeed a result of bias against Nurmagomedov for his cultural identity.